

Haryana Prisons (Haryana Amendment) Act, 2014**9 OF 2014**

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Haryana Prisons (Haryana Amendment) Act, 2014**9 OF 2014**

An Act

further to amend the Prisons Act, 1894, in its application to the State of Haryana.

Be it enacted by the Legislature of the State of Haryana in the Sixty-fifth Year of the Republic of India as follows :-

1. Short title :-

This Act may be called the Prisons(Haryana Amendment) Act, 2014.

2. Amendment of section 3 of Central Act 9 of 1894 :-

In section 3 of the Prisons Act, 1894 (hereinafter called the principal Act) -

- (i) in clause (8), the word "and" shall be omitted;
- (ii) in clause (9), for the sign ".", existing at the end, the sign and word; "and" shall be substituted; and
- (iii) after clause (9), the following clause shall be added, namely:-
(10) "wireless communication device" includes mobile phone, wi-fi for personal computer, tablet personal computer, computer, laptop, palmtop and their use for communication like verbal, non verbal, internet, General Packet Radio Service (GPRS), e-mail, Short Message Service (SMS), Multimedia Message Service (MMS) or any such device, which is available for similar purpose..

3. Insertion of section 42A in Central Act 9 of 1894 :-

After section 42 of the principal Act, the following section shall be inserted, namely :-

"42A. Prohibition of possession of wireless communication device.-

(1) Notwithstanding anything contained in this Act, if any prisoner is found guilty of possessing, operating or using a wireless communication device or its components like sim card, memory card, battery or charger or any other component of such device or if the prisoner or any other person assists or abets or instigates in the supply thereof, he shall be punished with imprisonment for a minimum period of two years which may extend to three years or with fine not exceeding twenty-five thousand rupees or with both.

(2) If the prisoner is found using the wireless communication device for attempting, abetting, conspiring or committing an offence inside or outside the jail premises and as a consequence thereof an offence is committed, he shall be punished with imprisonment provided in the Indian Penal Code, 1860 (Central Act 45 of 1860) for the offence so committed.

(3) The prisoner shall undergo the sentence awarded under subsection (1) or sub-section (2) after the completion of the sentence already undergoing."